

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL
CONTROL****DIVISION OF AIR QUALITY**

Statutory Authority: 7 Delaware Code, Chapter 60; (7 Del.C. Ch. 60)

7 DE Admin. Code 1120

REGISTER NOTICE

SAN # 2017-03

1120 New Source Performance Standards**1. TITLE OF THE REGULATIONS:**

7 DE Admin. Code 1120 New Source Performance Standards

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

On August 29, 2016, the EPA promulgated two regulations applicable to municipal solid waste landfills (MSWLs). The EPA promulgated 40 CFR Part 60 Subpart XXX under 111(b); Subpart XXX regulated the emissions from new MSWLs. The EPA promulgated 40 CFR Part 60 Subpart Cf under 111(d); Subpart Cf mandated state agencies to develop plans to regulate emissions from existing MSWLs. The purpose of these two federal regulations was to reduce the public health impacts associated with VOC and methane emissions from MSWLs.

The purpose of this action is to incorporate the federal new MSWL requirements in Subpart XXX by reference as Section 30 of 7 DE Admin. Code 1120. To satisfy the existing MSWL requirements of Subpart Cf, the applicability of Section 30 will be expanded to include both existing and new MSWLs. Once finalized, Section 30 and the State Plan will be submitted to the EPA for approval. There are three existing MSWLs in Delaware; all are operated by the Delaware Solid Waste Authority. There are no new MSWLs.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

None

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 Delaware Code, Chapter 60, Environmental Control

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

None

6. NOTICE OF PUBLIC COMMENT:

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Monday, April 24, 2017 starting at 6:00 PM in the DNREC office located at 100 W. Water Street (Suite 6A), Dover, DE. If you are unable to attend or wish to submit your comments in advance of the public hearing, please send your comments to address below. Interested parties may also submit written comments to the Department, to the same address below, up until the end of the comment period, which will extend through May 9, 2017, unless a longer period is designated by the hearing officer at the public hearing.

DNREC - Division of Air Quality

Subject: April 24 Public Hearing

715 Grantham Lane

New Castle, DE 19720

7. PREPARED BY:

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***Please Note: The Regulatory Flexibility Analysis and Impact Statement for this regulation, as required by 29 Del.C. Ch. 104, is available at:**

[http://regulations.delaware.gov/register/april2017/proposed/20 DE Reg 771RFA 04-01-17.pdf](http://regulations.delaware.gov/register/april2017/proposed/20%20DE%20Reg%20771RFA%2004-01-17.pdf)